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No. 1142

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JAMES H. McKENNEY,
Clerk.

Motion to Advance.

Filed Nov. 6, 1899.

Supreme Court of the United States.

OCTOBER TERM, 1899.

THE UNITED STATES, *Appellant*, vs. CHOCTAW NATION and THE CHICKASAW NATION.	No. 337.
WICHITA AND AFFILIATED BANDS OF INDIANS, *Appellants*, vs. CHOCTAW NATION and THE CHICKASAW NATION and THE UNITED STATES.	No. 338.
CHOCTAW NATION and THE CHICKASAW NATION, *Appellants*, vs. UNITED STATES and THE WICHITA AND AFFILIATED BANDS OF INDIANS.	No. 339.

MOTION TO ADVANCE.

JUDD & DETWEILER, PRINTERS, WASHINGTON, D. C. 11-2-'99

IN THE

Supreme Court of the United States.

OCTOBER TERM, 1899.

THE UNITED STATES, *Appellant*, *vs.* THE CHOCTAW NATION and THE CHICKASAW NATION.	No. 337.
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THE CHOCTAW NATION and THE CHICKASAW NATION, *Appellants*, *vs.* THE UNITED STATES and THE WICHITA AND AFFILIATED BANDS OF INDIANS.	No. 339.

Come now The Choctaw Nation and Chickasaw Nation, parties in the above-entitled causes, and move the court to advance the same on the docket for hearing, and in that behalf say:

First. That the controversy involved in the said causes is one that affects the general public interest in this, to wit, that it involves about seven hundred and forty-two thousand acres of land in the Indian Territory, which it is proposed by the United States to open to public settlement in connection with other lands similarly conditioned. The

Choctaws and Chickasaws claim that the said lands are held by the United States in trust for a certain specific purpose, namely, the settlement of friendly Indians thereon, and that upon the opening of the lands to public settlement the trust ceases and the United States are obligated to pay to the said Choctaws and Chickasaws the value of the said lands.

Second. The question as to whether this claim of the Choctaws and Chickasaws is a valid one was referred by the act of Congress approved March second, A. D. eighteen hundred and ninety-five, to the Court of Claims, with jurisdiction to determine all the rights, legal and equitable, of the United States and the Choctaw and Chickasaw nations and to render judgment thereon.

Third. The Wichitas and Affiliated Bands of Indians are claiming rights in the same lands by reason of the fact, among others, that they have been located there by the United States, and the Court of Claims was likewise authorized to determine the rights of the said Wichitas and Affiliated Bands and "to try and determine all questions that may arise on behalf of either party in the hearing of said claim."

Fourth. The act further provides that either of the parties to said action shall have the right of appeal to the Supreme Court of the United States, and further provides that the said courts (the Court of Claims and the Supreme Court of the United States) shall give such causes precedence.

Respectfully submitted.

J. M. Wilson,
Counsel for the Choctaws.

H. E. Paine,
Counsel for Chickasaws.